

JR6-4-201 Review of ethics complaint by the Independent Legislative Ethics Commission.

- (1) The scope of the Independent Legislative Ethics Commission's review is limited to the alleged violations stated in the complaint.
- (2)
 - (a) Before holding the meeting for review of the complaint, the commission chair may schedule a separate meeting of the commission for the purposes of:
 - (i) hearing motions or arguments from the parties, including hearing motions or arguments relating to dismissal of a complaint, admission of evidence, or procedures;
 - (ii) holding a vote of the commission, with or without the attendance of the parties, on procedural or commission business matters relating to a complaint; or
 - (iii) reviewing a complaint, with or without the attendance of the parties, to determine if the complaint should be dismissed in whole or in part, by means of a majority vote of the commission, because it pleads facts or circumstances against a legislator that have already been reviewed by the commission or an ethics committee as provided in JR6-2-201.
 - (b) Notwithstanding JR6-4-102, the commission may, by a majority vote, change the date of the meeting for review of the complaint in order to accommodate:
 - (i) a meeting authorized under Subsection (2)(a); or
 - (ii) necessary scheduling requirements.
- (3)
 - (a) The commission shall comply with the Utah Rules of Evidence except where the commission determines, by majority vote, that a rule is not compatible with the requirements of this title.
 - (b) The chair shall make rulings on admissibility of evidence consistent with the provisions of JR6-2-302.
- (4)
 - (a) All meetings and hearings authorized in this part are closed to the public.
 - (b) The following individuals may be present during the presentation of testimony and evidence to the commission:
 - (i) the complainants, except that no more than three complainants may be present at one time;
 - (ii) complainants' counsel, if applicable;
 - (iii) the respondent;
 - (iv) the respondent's counsel, if applicable;
 - (v) members of the commission;
 - (vi) staff to the commission;
 - (vii) a witness, while testifying before the commission; and
 - (viii) necessary security personnel.
 - (c) The complainants, respondent, and their respective counsel may be excluded from a portion of the meeting when the commission discusses administrative, procedural, legal, or evidentiary issues by:
 - (i) the order of the chair, subject to override as provided in JR6-2-302; or
 - (ii) a majority vote of the commission.
 - (d) When the commission deliberates at the conclusion of presentation of testimony and evidence, the commission shall ensure that those deliberations are closed to all persons except for the members of the commission and commission staff.
- (5) If a majority of the commission determines that a continuance is necessary to obtain further evidence and testimony, to accommodate administrative needs, or to accommodate the attendance of commission members, witnesses, or a party, the commission shall:
 - (a) adjourn and continue the meeting to a future date and time after notice to the parties; and
 - (b) establish that future date and time by majority vote.

